

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**TIMOTHY WAYNE KEMP**

**PLAINTIFF**

**v.**

**No. 5:03-cv-00055-DPM**

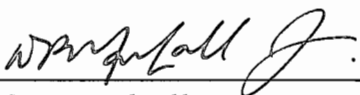
**RAY HOBBS, Director Arkansas  
Department of Correction**

**DEFENDANT**

**ORDER**

Notwithstanding the Court's intention to keep this case moving forward, and its admonitions to counsel about sticking with the scheduling order, the press of other matters has kept the Court from studying the parties' papers on the merits and evaluating which claims should proceed. The Court must do this evaluation before considering whether to allow discovery. Therefore, the Scheduling Order, *Document No. 53*, is vacated; an Amended Order will issue soon. The motion for discovery, *Document No. 60*, is denied without prejudice.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

18 January 2012